

40.230 COMMERCIAL, BUSINESS, MIXED USE AND INDUSTRIAL DISTRICTS

40.230.070 URBAN HOLDING DISTRICTS (UH-5, UH-10, UH-20, UH-40)

A. Purpose.

1. The Urban Holding-5 zone (UH-5) is applied to certain areas in the gorge scenic area to reflect unique regulatory approaches used by the gorge commission in the review of development regulations.
2. The Urban Holding-10 zone (UH-10) may be applied to protect certain lands identified within urban growth areas from premature development when public policy establishes urbanization criteria such as requiring annexation prior to development. The urban holding-10 district is also appropriate where public facilities are inadequate to support development under the urban zoning designation. These areas are generally identified on the zoning map with the ultimate urban zone followed by the suffix "X" and identified urban zoning is described in the comprehensive plan, Chapter 12, special implementation procedures section, and Section 40.560.020(F), contingent zoning.
3. The Urban Holding-20 acre zone (UH-20) has the same purpose as UH-10 except that the area is intended to be developed for industrial or office type nonresidential uses and retention in larger lots will ensure the site is adequate in size to accommodate large industrial or office developments.
4. The Urban Holding-40 acre zone (UH-40) has the same purpose as UH-20 except that the area is intended to be developed for industrial or office type nonresidential uses and retention in larger lots will ensure the site is adequate in size to accommodate major industrial or office campus developments.

B. Uses. The uses set out in Table 40.230.070-1, following this section, are examples of uses allowable in the various resource zone districts. The appropriate review authority is mandatory.

"P" Permitted uses.

"R/A" Uses permitted upon Review and Approval as set forth in Section 40.520.020.

"C" Conditional uses which may be permitted subject to the approval of a Conditional Use Permit as set forth in Section 40.520.030 and the additional conditional use criteria below:

- a. Permanent structures or facilities shall be designed and located to provide for the orderly extension of public roads, water and sewer to the site and surrounding properties.
- b. All necessary urban road, drainage and other urban development requirements shall apply to ensure that future urban development will occur in an orderly manner.
- c. Signed agreements between the property owner and the service provider(s) to connect to public sewer and water when they become available within one thousand (1,000) feet of the site shall be provided prior to commencing the authorized use; provided, such extension or connection does not require pump stations or capital facilities, such as larger pipes, to increase the capacity of the system.

"X" Uses specifically prohibited.

Where there are special use standards or restrictions for a listed use, the applicable code section(s) in Special Uses (Chapter 40.260) or other applicable chapter is noted in the "Special Standards" column.

Table 40.230.070-1: Uses					
	UH-5	UH-10	UH-20	UH-40	Special Standards
1. Residential					
a. Single-family dwellings and accessory buildings	P	P	P	P	40.260.010
b. Family day care centers	P	P	P	P	40.260.160
c. Home occupations	R/A	R/A	R/A	R/A	40.260.100
d. Bed and breakfast establishments (up to 2 guest bedrooms)	R/A	R/A	R/A	R/A	40.260.050
e. Bed and breakfast establishments (3 or more guest bedrooms)	C	C	C	C	40.260.050
f. Garage sales	P	P	P	P	40.260.090
g. Residential care homes	C	C	C	C	40.260.180
h. Temporary dwellings	P	P	P	P	40.260.210
2. Services, Business					
a. Commercial nurseries predominantly marketing locally produced plants and associated landscaping materials.	R/A	R/A	R/A	R/A	
b. Roadside stands not exceeding two hundred (200) square feet in area	P ¹	P ¹	P ¹	P ¹	
c. Veterinary clinics	C	C	C	C	
d. Kennels	C	C	C	C	40.260.040
3. Services, Amusement					
a. Publicly owned recreational facilities, services, parks and playgrounds	P	P	P	P	
b. Private recreation facilities, such as country clubs and golf courses, including such intensive commercial recreational uses as golf driving range, race track, amusement park or gun club	C	C	C	C	
c. Golf courses	C	C	C	C	
d. Riding stables	C	C	C	C	
e. Outdoor public entertainments, amusements and assemblies	R/A	R/A	R/A	R/A	Chapter 5.32 40.260.060
4. Services, Membership Organization					
a. Churches	C	C	C	C	
5. Services, Educational					
a. Public or private schools, but not including business, dancing or technical schools	C	C	C	C	40.260.160
6. Public Service and Facilities					
a. Private ambulance dispatch facilities	C	C	C	C	40.260.030
b. Government facilities	C ²	C ²	C ²	C ²	
7. Resource Activities					
a. Agricultural and forestry, including any accessory buildings and activities	P	P	P	P	40.260.080
b. Silviculture	P	P	P	P	40.260.080
c. Commercial uses supporting agricultural and forestry resource uses	P ³	P ³	P ³	P ³	
d. Quarters, accommodations, or areas for transient labor, such as labor cabins or camps	P	P	P	P	
8. Other					

Table 40.230.070-1: Uses

	UH-5	UH-10	UH-20	UH-40	Special Standards
a. Utilities, structures and uses including but not limited to utility substations, pump stations, wells, water shed intake facilities, gas and water transmission lines	P	P	P	P	40.260.240
b. Solid waste handling and disposal sites	C	C	C	C	40.260.200
c. Wireless communications facilities	P/C ⁴	P/C ⁴	P/C ⁴	P/C ⁴	40.260.250
d. Cemeteries and mausoleums, crematoria, columbaria, and mortuaries within cemeteries; provided, that no crematoria is within two hundred (200) feet of a lot in a residential district.	C	C	C	C	
e. Temporary uses	P	P	P	P	40.260.220

¹ Exclusively for the sale of agricultural products locally grown, and set back a minimum twenty (20) feet from the abutting right-of-way or property line.

² Including fire stations, ambulance dispatch facilities and storage yards, warehouses, or similar uses.

³ Commercial uses supporting agricultural and forestry resource uses, such as packing, first stage processing and processing which provides value added to resource products.

⁴ See Table 40.260.250-1.

C. Development standards

1. New lots and structures and additions to structures subject to this section shall comply with the applicable standards for lots and building height, and setbacks in Tables 40.230.070-2 and 40.230.070-3, subject to the provisions of Chapter 40.200 and Section 40.550.020. Site plan review is required for all new development and modifications to existing permitted development unless expressly exempted by this title (see Section 40.520.040).

Table 40.230.070-2: Lot Requirements

Zoning District	Minimum Lot Area (acres) ¹	Minimum Lot Width (feet)	Minimum Lot Depth (feet)
UH-5	5 acres	140 ²	None
UH-10	10 acres	140 ²	None
UH-20	20 acres	330 ²	None
<u>UH-40</u>	<u>40 acres</u>	<u>330²</u>	<u>None</u>

¹ Utilities, structures and uses including but not limited to utility substations, pump stations, wells, water shed intake facilities, gas and water transmission lines and telecommunication facilities may be permitted on newly approved lots of less than the minimum parcel size

² Unless a greater width shall be required by the Clark County fire code.

Table 40.230.070-3: Setbacks, Lot Coverage and Building Height

Zoning District	Minimum Setbacks				Maximum Lot Coverage	Maximum Building Height (feet)
	Front (feet)	Side		Rear (feet)		
		Street (feet)	Interior (feet)			
UH-5	50	25	20, 50 ¹	20, 50 ²	NA	35 ³
UH-10	50	25	20, 50 ¹	20, 50 ²	NA	35 ³
UH-20	50	25	20, 50 ¹	20, 50 ²	NA	35 ³
<i>UH-40</i>	<i>50</i>	<i>25</i>	<i>20, 50¹</i>	<i>20, 50²</i>	<i>NA</i>	<i>35³</i>

¹ Side Setback—Minimum side setback on each side of the residential dwelling and incidental buildings shall be twenty (20) feet, and fifty (50) feet for accessory buildings used for agricultural purposes. Side setbacks from abutting property zoned for natural resource or surface mining uses shall be a minimum of fifty (50) feet for all structures.

² Rear Setback—Minimum rear setback shall be fifty (50) feet when abutting property zoned for natural resource or surface mining uses.

³ Residential buildings only.

2. Nonconforming lots--Lot reconfiguration standards.
 - a. Purpose. It is in the public interest to encourage the protection of sensitive lands, expand the amount of commercially viable resource land under single ownership and reduce the amount of road and utility construction.
 - b. Lot Reconfiguration. Except for previously approved agricultural or forest zoned clusters or rural residential planned unit developments, these substandard lots may be modified where consistent with the following criteria. Parcels which meet all of the following criteria are eligible for reconfiguration and reduction in size subject to a Type II review if:
 - (1) Existing parcel(s) are:
 - (a) Smaller than the minimum lot size established for new lots in the applicable zoning district. Parcels which meet the minimum lot size may be adjusted as a part of this process, but may not be decreased below the established minimum lot size;
 - (b) Determined to be legally created, have lawful access, and be buildable.
 - (2) Proposed parcel(s) result in the following:
 - (a) No additional parcels;
 - (b) Have septic suitability approval;
 - (c) Have adequate public or private potable water at the time of occupancy;
 - (d) Each resulting legal nonconforming parcel shall be at least one (1) acre in size with a minimum width of at least one hundred forty (140) feet.
 - (e) Result in achieving one (1) or more of the identified public interest issues in one (1) above.
 - c. Lot Requirements. The setback, dimensional, use and height standards for these lots shall be as established for the rural 5 zone except that reductions in side and rear setbacks shall be granted where necessary to permit construction of a dwelling on the parcel; provided, when the parcel is abutting, or surrounded by, property zoned for resource uses, the minimum setback from those property lines shall be fifty (50) feet for all structures.
3. Signs. Signs shall be permitted according to the provisions of Chapter 40.310.
4. Off-street parking. Off-street parking shall be provided as required in Chapter 40.340.